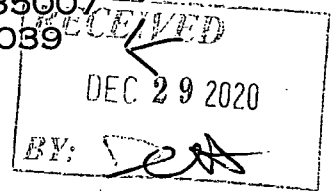


ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1PET (1738) FAX (602) 364-1039

VETBOARD.AZ.GOV



COMPLAINT INVESTIGATION FORM

If there is an issue with more than one veterinarian please file a separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLY

Date Received: Dec. 29, 2020

Case Number: 21-76

A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:

Name of Veterinarian/CVT: 1st Pet Veterinary Centers - North Valley TonCray

Premise Name: 1st Pet Veterinary

Premise Address: 18453 N 7th Ave, Phoenix, AZ 85023

City: Phoenix State: AZ Zip Code: 85023

Telephone: (623) 849-0700

B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:

Name: Julie Harding

Address: [REDACTED]

City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]

Home Telephone: [REDACTED] Cell Telephone: [REDACTED]

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

C. PATIENT INFORMATION (1):

Name: Dallas

Breed/Species: Golden Retriever

Age: 12 Sex: Female Color: Cream

PATIENT INFORMATION (2):

Name: _____

Breed/Species: _____

Age: _____ Sex: _____ Color: _____

D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

E. WITNESS INFORMATION:

Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Tom Cravey: [REDACTED]

Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: Julie Harding

Date: 12/17/20

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

12/11/2020 1:15 PM I took my dog Dallas, a 12-year-old Golden Retriever into Petco Grooming 2501 W Happy Valley Rd Ste 6, Phoenix, AZ 85085. I 17 and Happy Valley Rd. Around 4 PM I came to see if she was ready. As I pulled into the parking lot, I noticed a car with the doors open and a dog laying inside. The groomers were looking into the car. I had thought, I hope that is not my dog. I could not see if it was and went to buy something in the store next door, then walked into Petco to ask about my dog. I did not see her and asked is she in the back? The groomer had an aggravated look and told me I had to talk to the manager. I went out to find the manager who told me my dog had an accident. They told me they took her to the vet. They gave me the vet to go to. I drove there and saw the managers car in the parking lot. I walked in and they sent me to the back, and I waited for a very long time. The vet had to call me on my phone because of covid issues. He asked what was the story because it says this dog just started to limp? I said No, Petco brought her in, she is 12 and something happened when she was groomed. He said she has a significant twist in her front leg. He showed she was 7 years old. He asked if she had been hit by a car. He said that legs do not just break like this. Does she have cancer and has weakened bones. He had to do some more tests on her and talk to Petco. I had asked to see her. They brought her in on a cart. She had a twisted leg. She did not try to get up. She was out of it. I asked if they had given her something? They said no. She was frustrated, upset, scared, and hurt. She was in pain. They came in and took her away to do x rays. They said she needed pain killers to do them. The vat called me as I was sitting in the room and said she has a fracture. She will need a very extensive surgery and a long recovery. She will need a plate put in her leg. There will be ties where she will be in pain. She will need total care for months.

I really don't know what happened.

My family and I made the decision to put her down because we did not want her to have any pain at any time. We did not want her to lay and defecate her bowls like a bed ridden or invalid. If she had tried to get up and fell again, she will never recover properly. As she lay there her muscles will deteriorate and she soon will be unable to walk. No matter what.

The vet said with a recovery in question euthanasia is reasonable. Petco would cover all costs with surgery but only what is necessary. I had though ok, do the surgery and in two weeks or so I get my dog back. They said the surgeon though is not in till Monday and she would have to wait until then like this there. I knew she had to potty because it was around 9 PM. Her stomach was bloated, she passed gas. She had been bathed but her nails were not done.

Petco said she tripped over the ledge in a create. She rolled her leg then her back legs gave out. They tried to pick her up, but she fell again screaming. I have no idea what her back legs looked like. She never tried to get up. The groomer gave me their info, called me and the vet mailed me a card with all their names written on it with out my permission. Petco that day was hectic. I felt they had some bad attitudes. The vide there this time was different. They clearly did not have the kindness and patience for my older dog this time. She was a longtime customer. Dallas was a therapy dog for Banner Del Web Hospital Sun City and the Phoenix VA. There is no telling just how many people she touched over 12 years.

My concern is that I sat in the waiting room for a very long time waiting for information about my dog. When the vet called me, he did not have the right information on my dog. He asked if I was bringing her in for a limp that just started happening. Petco brought her in. He had her down as being 7 years old, but she was 12. She waited to see the vet for a very long time. I had to ask to see her. They brought her in on a table. They were not trying to get her up or go potty. Did she need water? They told me she had a fractured leg, and it was twisted. This all took a very long time. They seem to be very unstable with the table she was on as it rattled along. The employees were short with me and rude at times. I never saw a x ray. She was in pain. She had been in pain for quite some time. This does not seem to be humane.

Brian Toncray, DVM

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

November 12th, 2021

Arizona Veterinary Medical Examining Board
1740 W. Adams St., Ste. 4600
Phoenix, AZ 85007

To Whom It May Concern,

"Dallas" Harding was a 12 year old spayed female Golden Retriever who was presented by Petco Grooming to 1stPet Veterinary Centers at 5:04 PM on 12/11/2020 with an acute onset of not bearing weight on the right front leg after falling. Patient was triaged and placed in a kennel, awaiting examination by a doctor.

I arrived at work at 7PM and examined the patient immediately after rounds. After palpating a suspected humeral fracture, I asked the technicians to administer 4.2mg of hydromorphone IV. I discussed my suspicion for a fracture with both the Petco representative and the owner. I explained that this type of fracture does not commonly occur in dogs by just falling. I recommended radiographs to assess for a pathologic fracture. Owner consented to radiographs which I interpreted as a spiral humeral fracture. I sent the radiographs to a radiologist for further evaluation.

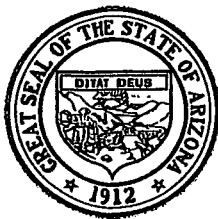
I recommended to the owner that Dallas see a surgeon for further workup and surgery. I told the owner that unfortunately most surgeons are not available on the weekends for orthopedic surgeries and that Dallas would likely have to wait until Monday. I explained to the owner that we cannot externally splint the fracture due to the location and that we would need to kennel rest in hospital on IV pain medications until we can get a surgeon in.

I discussed the potential complications of surgery and post-op care with the owner and she elected humane euthanasia.

Thank you,

Brian Toncray, DVM

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

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INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: PM Investigative Committee: Adam Almaraz - Chair
Amrit Rai, DVM
Robert Kritsberg, DVM

STAFF PRESENT: Tracy A. Riendeau, CVT – Investigations
Beth Campbell, Assistant Attorney General

RE: Case: 21-76
Complainant(s): Julie Harding
Respondent(s): Brian Toncray, DVM (License: 6458)

SUMMARY:

Complaint Received at Board Office: 12/29/20
Committee Discussion: 6/8/21
Board IIR: 7/21/21

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018
(Lime Green); Rules as Revised
September 2013 (Yellow)

On December 11, 2020, "Dallas," a 12-year-old female Golden Retriever was presented to 1st Pet Emergency Center by a Petco groomer due to limping after a fall.

Respondent evaluated the dog and suspected a fractured right front leg, which Radiographs confirmed.

Due to the dog's condition and difficult recovery, Complainant elected to humanely euthanize the dog.

Complainant was noticed and did not appear.

Respondent was noticed and was available telephonically. Attorney David Stoll appeared.

The Committee reviewed medical records, testimony, and other documentation as described below:

- o Complainant(s) narrative: Julie Harding
- o Respondent(s) narrative/medical record: Brian Toncray, DVM

PROPOSED 'FINDINGS of FACT':

1. On December 11, 2020, Complainant dropped her dog off for grooming. Later that day when she went to pick up her dog, she was told there had been an accident and the dog was taken to the vet.
2. Complainant arrived at 1st Pet Veterinary Centers and had to wait for a prolonged period of time. According to Respondent, the dog was presented by a representative of Petco Grooming at 5:04pm with an acute onset of non-weight bearing on the right front leg after a fall. The dog was triaged and placed in a kennel waiting to be examined by a doctor. Respondent arrived at the premises at 7:00pm and examined the dog.
3. After palpating a suspected humeral fracture, Respondent instructed staff to administer the dog hydromorphone 4.2mg IV. Respondent stated that he discussed his suspicions of the fracture with the Petco representative and Complainant. He explained that this type of fracture did not commonly occur in dogs just by falling. Radiographs were recommended and Complainant consented; a spiral humeral fracture was found. The radiographs were sent to a radiologist who reported a spiral fracture through the mid diaphysis of the right humerus, with caudal lateral displacement and proximal override of the distal fragment was present. There was a moth-eaten and permeative lysis of the proximal third of the right humeral diaphysis with focal thinning of the medial cortex. Conclusive periosteal bone production was not visible.
4. Respondent recommended the dog see a surgeon for further workup and surgery. However, a surgeon would likely not be available on the weekend and the dog may need to wait until Monday. A splint could not be placed on the dog at the location of the fracture, thus the dog would need kennel rest on IV pain medication until a surgeon could see the dog. After discussion with Complainant the potential complications or surgery and post-op care, humane euthanasia was elected.
5. Complainant expressed concerns that the dog had to wait a prolonged period of time before being examined and was in pain. Additionally, Complainant had to wait a long time before getting information on her dog and when she did speak with Respondent, he did not have the correct information on the dog's age. Complainant also was concerned that the dog was not offered water or helped to get up to relieve herself. Furthermore, Respondent's staff was rude and transported the dog on an unstable table/gurney.

COMMITTEE DISCUSSION:

Based on review of the case file materials the Committee concluded there was not a violation of the Veterinary Practice Act.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the Veterinary Practice Act occurred.

COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation.

Vote: The motion was approved with a vote of 3 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.

TR

Tracy A. Riendeau, CVT
Investigative Division